



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DECISION

MGE/158991

PRELIMINARY RECITALS

Pursuant to a petition filed July 14, 2014, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Racine County Department of Human Services in regard to Medical Assistance, a hearing was held on August 13, 2014, at Racine, Wisconsin.

There is no issue for determination.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: Ysidra Luis

Racine County Department of Human Services
1717 Taylor Ave
Racine, WI 53403-2497

ADMINISTRATIVE LAW JUDGE:

Debra Bursinger
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Racine County.
2. On February 14, 2014, the agency issued a Notice of Proof Needed to the Petitioner's representative requesting verification of bank accounts. The due date for the information was February 24, 2014.

3. On February 17, 2014, the agency issued a notice to the Petitioner's representatives that the Petitioner's MA Institution benefits would end effective March 1, 2014 due to failure to complete the renewal.
4. On February 27, 2014, the agency issued a notice to the Petitioner's representatives that the Petitioner's MA Institution benefits would end effective March 1, 2014 due to income over the program limits.
5. On March 1, 2014, the Petitioner's benefit case was closed.
6. On April 17, 2014, the agency received notification that the Petitioner passed away on April 10, 2014.
7. On May 20, 2014, the agency received an application for benefits with a request to backdate from March 1, 2014. On May 23, 2014, the case was re-opened with a backdate to March 1, 2014 and coverage through April 30, 2014.
8. On July 22, 2014, ForwardHealth had not updated the case to show coverage.
9. On July 14, 2014, the Petitioner's representatives filed an appeal with the Division of Hearings and Appeals.

DISCUSSION

The agency representative testified at the hearing that there is no issue of eligibility in this case. She conceded that ForwardHealth had not updated the Petitioner's case in the system to show continuous coverage through the Petitioner's date of death in April, 2014. The agency representative was waiting for additional verification of the Petitioner's VA benefits. She stated she would then interface with ForwardHealth to ensure the case is updated to show continuous coverage.

On September 2, 2014, the agency representative left a message indicating that the VA benefit verification had been received, the case has been corrected and notice was issued of approval of the Petitioner's benefits effective March 1, 2014.

CONCLUSIONS OF LAW

There is no longer any issue for determination.

THEREFORE, it is

ORDERED

That the Petitioner's appeal is dismissed.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be served and filed with the appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

For purposes of appeal to circuit court, the Respondent in this matter is the Department of Health Services. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 1 West Wilson Street, Room 651, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of Milwaukee,
Wisconsin, this 17th day of September, 2014

\sDebra Bursinger
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on September 17, 2014.

Racine County Department of Human Services
Division of Health Care Access and Accountability